

ENTERED

January 28, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ALFREDO VASQUEZ,

Plaintiff,

VS.

ISAAC KWARTANG, *et al*,

Defendants.

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CIVIL ACTION NO. 2:20-CV-098

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
TO DENY DEFENDANTS' MOTION TO DISMISS**

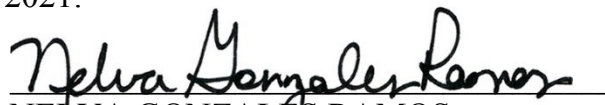
On October 2, 2020, United States Magistrate Judge Julie K. Hampton issued her “Memorandum and Recommendation to Deny Defendants’ Motion[] to Dismiss” (D.E. 26). The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Memorandum and Recommendation (D.E. 26), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, “Defendants’ Motion to

Dismiss Pursuant to the PLRA, 28 U.S.C. § 1915” (D.E. 22) is **DENIED**. It is further **ORDERED** that Defendants Tonya Lawson and Gene Miller are **DISMISSED WITHOUT PREJUDICE** from this action.¹

ORDERED this 28th day of January, 2021.


NEELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE

¹ While the Memorandum and Recommendation does not state the reason for the dismissal of these Defendants, it is apparent that Plaintiff’s amended complaint (D.E. 17) failed to carry forward any claims against these Defendants.